

### **REMARKS**

Claims 5, 6, 8-15, 17-21, 44-49, 51-56 and new claims 57-75 are currently pending in the instant application. Claims 1-4, 7, 16, 22-23, and 50 have been cancelled without prejudice or disclaimer. Claims 5, 6, 8-15, 17-21, 44-49, and 51-56 have been amended herein.

Support for the proposed claim amendments as well as the new claims can be found throughout the specification and in the claims as originally filed. Thus, no new matter has been added by this amendment.

#### **Specification**

The Examiner has objected to the specification due to the formalities outlined at pages 2-3 of the Office Action. Applicants thank the Examiner for identifying these informalities. Applicant has herewith amended the specification in line with the Examiner's suggestions. Thus, these objections are moot and should be withdrawn.

#### **Claim Objections**

Claim 3 has been objected to for the inclusion of the phrase "(i.e. nestin<sup>+</sup>)". Applicant has herewith cancelled claim 3 without prejudice or disclaimer. Accordingly, this objection is moot and should be withdrawn.

Claims 47 and 54 have been objected to for the inclusion of spelling mistakes. Applicant has herewith corrected any such spelling mistakes. Accordingly, this objection should be withdrawn.

Claims 53 has been objected to for reciting "cells are immunoreactive with cortical neuronal markers", as this is inconsistent with the specification which indicates that "cells are not immunoreactive with cortical neuronal markers". Applicants thank the Examiner for noticing this discrepancy. Claim 53 has been amended herein to specify that the cells are not immunoreactive with cortical neuronal markers. Thus, this objection should be withdrawn.

Claim 54 has been objected to for reciting “wherein the cortical neuronal markers is PAX3”, as this is inconsistent with the specification, which indicates that the cortical neuronal marker is PAX6. Applicants thank the Examiner for noticing this discrepancy. Claim 54 has been amended to specify that the cortical neuronal marker is PAX6. Thus, this objection should be withdrawn.

The Examiner has indicated that claims 5, 6, 8-15, 17-21, 44-49, and 51-56 have been “objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (Office Action at page 4). As suggested by the Examiner, Applicants have amended these claims (and added new claims 57-75) to incorporate all of these limitations. Thus, Applicants believe that claims 5, 6, 8-15, 17-21, 44-49, and 51-75 are now in condition for allowance.

**Claim Rejection—35 U.S.C. § 112, second paragraph**

The Examiner has rejected claim 22 under 35 U.S. C. § 112, second paragraph as being indefinite. Applicant has herein cancelled claim 22 without prejudice or disclaimer. Thus, this rejection is moot and should be withdrawn.

The Examiner has rejected claim 48 under 35 U.S. C. § 112, second paragraph as being indefinite. According to the Examiner, a word is missing in the first line of the claim. Applicant has herein amended claim 48 to specify that “wherein greater than 50% of the differentiated neuronal cells are not immunoreactive with neuronal markers of the medial ganglionic eminence. Support for this amendment is found, *e.g.* in claim 55. Thus, this rejection should be withdrawn.

The Examiner has rejected claims 7, 43, and 50 under 35 U.S. C. § 112, second paragraph as being indefinite. Applicant has herein cancelled these claims without prejudice or disclaimer. Thus, this rejection is moot and should be withdrawn.

**Claim Rejection—35 U.S.C. § 102**

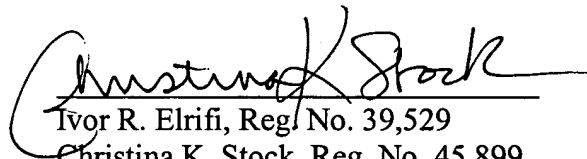
The Examiner has rejected claim 42 under 35 U.S.C. § 102(b) as anticipated by Miyaguchi, Journal of Structural Biology 120(1):61-68 (1997); Hulspas et al., Experimental Neurology 148(1):147-56 (1997); and Schinstine and Iacovitti, Experimental Neurology 141(1):67-78 (1996). Applicant has herewith cancelled claim 42 without prejudice or disclaimer. Thus, these rejections are moot and should be withdrawn.

The Examiner has also rejected claims 1, 3, and 22 under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,294,383. Applicant has herewith cancelled claims 1, 3, and 22 without prejudice or disclaimer. Thus, this rejection is moot and should be withdrawn.

**CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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